

**Town of Goshen, Connecticut**  
**42 North Street , Goshen, CT 06756-0187**  
**Phone: (860) 491-2308**

## **Title 19B - Road Opening & Excavations**

TITLE 19B  
**TOWN OF GOSHEN**  
**ROAD OPENINGS AND EXCAVATIONS**  
**ORDINANCE**

1. **PERMIT**

No *contractor* shall open any part of any road or street in the Town of Goshen before (a) submitting an application in writing together with a *non-refundable* \$150.00 permit fee to the First Selectman for an excavation permit therefore, stating the location, purpose, area, date and length of time required to continue such opening; and (b) obtaining an excavation permit signed by the First Selectman or the Public Works Supervisor. No road or street, or any portion thereof, in the Town of GOSHEN, shall be opened after November first or before May first in any calendar year, except in the event of an emergency or other extenuating circumstance as determined in the sole discretion of the First Selectman, Public Works Supervisor, and Board of Selectmen.

2. **SECURITY FOR PERFORMANCE**

Before any *contractor* shall receive a permit for opening any road or street in the Town, the contractor shall deposit with the First Selectman, for the use of the Town for the completion (including without limitation permanent road resurfacing) of any work permitted hereunder and for the restoration of the road or street to the satisfaction of the First Selectman, the following items for each project:

- a. *Permit Fee - \$150.00, **AND***
- b. *A \$5,000 continuous **SURETY Bond (License & Permit)** for each project described on the application and permit, issued by a recognized bonding company acceptable to the First Selectman, **AND***
- c. *A Certificate of Insurance naming the Town of Goshen as an additional insured according to the insurance specifications set by the First Selectman;*
- d. *A continuous SURETY BOND (License & Permit) for each project stated on the application and permit, in an amount of \$10,000 or \$15,000 may be required, for projects larger than \$5,000 at the discretion of the Public Works Supervisor.*

3. **EXCAVATION PROCEDURES.**

All work permitted hereunder shall be performed in accordance with the following standards and procedures:

- a. At least forty-eight (48) hours prior written notice shall be provided to the First Selectman before any excavation work is commenced, except in the case of an emergency;
- b. Any bituminous, macadam, oiled or tarred, chip-sealed or other paved road surface shall be cut with a saw or pavement cutter prior to excavation;
- c. No excavation shall be commenced before an on-site inspection is performed by Call Before You Dig. The permit holder shall be responsible for ensuring that such on-site inspection is made by Call Before You Dig before work is begun;
- d. All work shall be performed in a manner which leaves at least one lane of the affected street or road open for safe passage for pedestrians and motor vehicles, including without limitation firefighting equipment and other emergency vehicles;

- e. Prior to the making of an excavation in any road, street or public place in the Town, and until completion of the excavation project, the permit holder shall enclose and illuminate the excavation site by installing barricades, lights and other traffic control devices in accordance with the standards set forth in the Department of Transportation Manual on Uniform Traffic Control Devices, (1988 Edition, Part VI). If proper signage and illumination is not used the job will be shut down.
- f. All excavations shall be filled in to the level of the traveled road surface upon the completion of work each day;
- g. All excess excavated material must be removed by the permit holder;
- h. All excavations must be filled with clean material as specified in the permit issued hereunder or as otherwise approved in writing in advance by the First Selectman or the Public Works Supervisor;
- i. All materials used to fill excavations shall be deposited in layers not to exceed one foot (1') and each such one foot layer shall be properly compacted prior to depositing the next layer; and
- j. The excavation site shall be inspected and approved in writing by the Public Works Supervisor prior to the application of temporary road patching. Temporary road patching must be done within 24 hours of an approved inspection.
- k. If off loaded equipment causes damages to the pavement, such pavement must be repaired by the contractor.

4. INSURANCE FURNISHED

The applicant shall furnish to the First Selectman a certificate of insurance with a limit of liability of not less than \$1,000,000 naming the Town of Goshen as an additional insured and insuring the Town of Goshen against all liability and claims for bodily injury, death or property damage resulting from or connected with any excavation of any street or road or other public right of way in the Town of Goshen. No permit shall be granted until such certificate of insurance is approved by the First Selectman. *See separate insurance specifications attached.*

5. BASINS, MAN HOLES AND AREAWAYS.

No person shall construct or maintain any basin, manhole or areaway, or any cover, grating or door above the same, in any street or right of way in the Town without a permit to do so issued by the First Selectman.

6. RELEASE FO SECURITY

The SURETY (License & Permit) bond provided to the Town of Goshen hereunder shall be *continuous and* retained by the Town *for a period of two (2) years* from the date that the excavation project is completed and temporary patching is first applied to the excavation project is completed and temporary patching is first applied to the excavation. During this *two year* period, the Public Works Supervisor or the Supervisor's designee may request the permit holder to repair the patching or repair or complete any other portion of the excavation work, including without limitation settling and final road resurfacing. If the permit holder fails or refuses to repair or complete such work within twenty-four (24) hours of notification, *the Town of Goshen may request that the repairs be completed by the bonding company within fifteen (15) business days of notification.* If the requested repairs are not completed, the Town of Goshen will complete the requested work and shall charge the full cost and expense thereof against the permit holder's bond, as applicable.

7. EFFECTIVE DATE AND MANNER OF PUBLICATION

This ordinance shall take effect 15 days after publication of a summary of this ordinance in a newspaper having a general circulation in the Town of Goshen as provided by Connecticut General Statutes Section 7-157(b).

Adopted: November 19, 2001  
Published: November 23, 2001  
Effective: December 8, 2001

